

REMARKS

Claims 1-2 and 5-6 were pending in this Application as of the Office Action of February 1, 2010. Claims 1 and 9 are amended with this Response. New claims 10-13 are added. The Examiner's rejections will now be addressed in turn.

Rejections under 35 U.S.C. 112, second paragraph

Claims 1, 2, 5, 6, and 9 have been rejected under 35 U.S.C. 112, second paragraph for being allegedly indefinite. In response, Applicant respectfully amends claim 1.

Rejections under 35 U.S.C. 103(a)

Claims 1, 2, 5, 6, and 9 are rejected under 35 U.S.C. 103(a) as being obvious over United States Publication No. 2003/0131239 to Greene ("Greene" hereinafter) in view of United States Publication No. 2003/0059098 to Jones ("Jones" hereinafter). Applicant respectfully traverses.

For an obviousness rejection to be proper, the Examiner must meet the burden of establishing that all elements of the invention are disclosed in the prior art and that the prior art relied upon, coupled with knowledge generally available in the art at the time of the invention, must contain some suggestion or incentive that would have motivated the skilled artisan to modify a reference or combined references. *In re Fine*, 5 U.S.P.Q.2d 1596, 1598 (Fed. Cir. 1988); *In Re Wilson*, 165 U.S.P.Q. 494, 496 (C.C.P.A. 1970); *Amgen v. Chugai Pharmaceuticals Co.*, 927 U.S.P.Q.2d, 1016, 1023 (Fed. Cir. 1996).

Applicant's claim 1 recites *inter alia*,

"providing a sales machine configured for selling the public transportation tickets, the sales machine being configured to facilitate purchase of goods and/or services by a customer against payment of a document as cash in the form of

banknotes or vouchers...

...providing the sales machine with an intermediate storage configured to maintain documents accepted until the amount of the document corresponds to or exceeds the amount of the ticket

feeding the document to the verification unit by means of an input unit containing an opening into which the document can be inserted individually and consecutively,...

...comparing the at least two verification methods with verification specifications;

determining a probability of authenticity of the document

releasing the document for further processing, the further processing comprising at least one of:

accepting the document as positively authenticated when the probability meets predetermined criteria, and maintaining the document in the intermediate storage; and

presenting the image to an operator for visual verification by the operator when the probability does not meet the predetermined criteria and the document is negatively authenticated, wherein the visual verification includes at least one of accepting the document when the document passes the visual verification and maintaining the document in the intermediate storage, and refusing acceptance when the document does not pass the visual verification, and feeding the document to a separate storage device for invalid documents or ejecting the document”

Neither Greene nor Jones, taken alone or in combination, teach a method for usage of a sales machine configured for selling the public transportation tickets and including a verification unit with an opening into which the document can be inserted individually and consecutively, or an intermediate storage for maintaining accepted documents (or, in the case of new claim 10, a “storage for positively authenticated documents”) in said unit. On the contrary and as conceded by the Examiner at points 20-25 of the Office Action, Green

fails to teach the claimed sales machine and authentication via verification at all, and therefore clearly fails to teach a sales machine configured for selling the public transportation tickets and an intermediate storage for maintaining accepted (via verification) documents. In addition, Jones fails to remedy these deficiencies of Greene (as they relate at least to the amended claims) for at least the below reasons.

Referring to paragraphs 0059 and 0060, Jones teaches simple recognition of a bill failing verification methods by flagging and storing the image in memory. Such images may, at a later step, be provided to the operator/customer. This is in stark contrast to Applicant's claimed intermediate storage, which allows for a much faster operation necessary to providing direct and secure actions in mass operating machines for vending of public transportation tickets.

Additionally, and with reference to point 27 of the Office Action, the reference 100 of Jones is not a sales machine configured for selling the public transportation tickets and including a verification unit with an opening into which the document can be inserted individually and consecutively. On the contrary, reference 100 is simply a currency scanning device that has no explicit or implicit ability to vend "public transportation tickets."

It should be further noted that since the operator can be the customer in Jones (please see paragraph 0049 at least), the customer himself authenticates the document for fraud or counterfeit. This is in contrast at least to Applicant's claims 9 and 13, wherein the operator is limited to *consisting of* an entity other than the customer.

It should still further be noted that Greene and Jones are directed to two very different technical fields (verification of correct transmission and bill tracking respectfully). As such, if one would have to alter the principle operation of Green in order to combine Greene with Jones. Accordingly, since such a change in principle operation would be

improper under MPEP 2143.01 VI, the proposed combination of Greene with Jones is itself improper.

For at least the above reasons, Applicant respectfully asserts that the proposed combination of Greene and Jones does not teach every element of Applicant's claims 1, 2, 5, 6, 9, and 10-13. Further, since the proposed combination of Greene and Jones is improper, there is no motivation of modify or combine. As such, for at least the above reasons, Applicant respectfully submits that *prima facie* obviousness does not exist regarding claims 1, 2, 5, 6, 9, and 10-13 with respect to the proposed combination of Greene and Jones.

Conclusion

Applicant hereby petitions under 37 C.F.R. §1.136 for any extension of time required for entry and consideration of this submission.

The Office is invited to contact Applicant's attorneys at the below-listed telephone number concerning this Submission or otherwise regarding the present application.

If there are any charges with respect to this Submission, or otherwise, please charge them to Deposit Account No. 06-1130 maintained by Applicant's attorneys.

Respectfully submitted,
CANTOR COLBURN LLP

By: /Daniel R. Gibson/
Daniel R. Gibson
Registration No. 56539
CANTOR COLBURN LLP
20 Church Street
22nd Floor
Hartford, CT 06103
Telephone: 860-286-2929
Facsimile: 860-286-0115
Customer No. 23413

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